

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No.: 8:18-01789 VBF (ADS) Date: November 26, 2019

Title: John R. Martinez v. David Main, et al.

---

Present: The Honorable Autumn D. Spaeth, United States Magistrate Judge

---

Kristee Hopkins

Deputy Clerk

None Reported

Court Reporter / Recorder

Attorney(s) Present for Plaintiff(s):  
None Present

Attorney(s) Present for Defendant(s):  
None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR FAILURE TO  
PROSECUTE AND OBEY COURT ORDERS**

Plaintiff John R. Martinez, currently a prisoner at Theo Lacy Jail proceeding pro se and in forma pauperis, filed a Complaint alleging violations under 42 U.S.C. § 1983. [Dkt. No. 1]. On July 18, 2019, the Court dismissed the Complaint with leave to amend and granted Plaintiff leave to file a First Amended Complaint by no later than August 8, 2019. [Dkt. No. 6]. Plaintiff requested and received two extensions of time to file a First Amended Complaint, extending the deadline to respond to the Order Dismissing with Leave to Amend to October 9, 2019. [Dkt. Nos. 7, 8, 9, 10]. As of the date of this order, the Court has not received a First Amended Complaint or any response to the Order Dismissing with Leave to Amend from Plaintiff.

Plaintiff is hereby **ORDERED TO SHOW CAUSE why this case should not be dismissed for failure to prosecute and obey court orders.** Plaintiff must file a written response by no later than December 20, 2019. Plaintiff may respond to this Order to Show Cause by (a) filing a First Amended Complaint; or (b) filing a statement with the Court indicating the desire to continue to move forward with the Complaint despite the weaknesses noted by the Court in the Order Dismissing with Leave to Amend.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No.: 8:18-01789 VBF (ADS) Date: November 26, 2019

Title: *John R. Martinez v. David Main, et al.*

Plaintiff is expressly warned that failure to timely file a response to this Order to Show Cause may result in a recommendation to the District Judge that this action be dismissed without prejudice for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED.**

Initials of Clerk kh